

1 HONORABLE JUDGE ROBERT S. LASNIK  
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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 )  
9 EMMENTALY BUSINESS INC., a Panama )  
10 Company )  
11 Plaintiff, ) AT LAW AND IN ADMIRALTY  
12 v. ) No. C12-464RSL  
13 SINORICHES GLOBAL LTD., a dissolved )  
14 BVI company; and SINORICHES ) ORDER PERMITTING DEPOSIT OF  
15 ENTERPRISES CO., LIMITED, a Hong ) FUNDS WITH COURT AND RELEASING  
16 Kong company ) ATTACHMENT AND ARREST  
17 Defendants. )  
18 \_\_\_\_\_)

19 WHEREAS this Court has issued process of maritime attachment and garnishment  
20 and a warrant of arrest against certain fuel oil on board the vessel DEEP SEAS now in this  
21 District in the amount claimed in the Amended Verified Complaint; and

22 WHEREAS the defendant, Sinoriches Enterprises Co., Limited (“Defendant”),  
23 without prejudice to its position regarding said arrest or attachment or claims and allegations  
24 in the Complaint, seeks to provide security as demanded by plaintiff, Emmentaly Business  
25 Inc. (“Plaintiff”), to obtain immediate release of the fuel oil from arrest and attachment  
26 permitting the vessel to sail; and

27  
28 ORDER PERMITTING DEPOSIT OF FUNDS AND  
RELEASING ATTACHMENT AND ARREST

1           WHEREAS the undersigned attorney James F. Whitehead has been authorized by  
2 Sinoriches Enterprises Co., Limited, to deposit with the Court funds in the amount of  
3 \$650,000.00 as security for Plaintiff's claims, which amount is acceptable to Plaintiff at the  
4 time of entry of this order;

5           WHEREAS the Plaintiff and Defendant have agreed to an immediate release of the  
6 fuel oil from arrest and attachment allowing the vessel to sail on deposit with the Court of  
7 the aforesaid funds, without waiver by either party of any claims and defenses concerning  
8 the merits of the underlying claims or issues regarding the amount of security;

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10          IT IS HEREBY ORDERED:

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12         1.      Defendant will be permitted and required to deposit forthwith a cashier's check, or  
13 other form of payment agreeable to Plaintiff, with the Court, in the amount of \$650,000.00,  
14 pursuant to the terms of FRCP 67(a). Such security shall remain with the Court, and cannot  
15 be removed by either party, without a Court order and or judgment.

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17         2.      After the security has been accepted by the Court, the fuel oil will be released  
18 from attachment and arrest, and the U.S. Marshal's office is hereby directed to take all action  
19 necessary to allow the vessel to clear customs and sail forthwith.

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21         3.      The foregoing is without prejudice to any claims or defenses of the parties,  
22 including the plaintiff's right to obtain a judgment for more than the secured amount, and the  
23 right of the defendant to challenge the arrest and attachment and is without prejudice to  
24 either party as to the remaining issues in this case.

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28          **ORDER PERMITTING DEPOSIT OF FUNDS AND**  
                 **RELEASING ATTACHMENT AND ARREST**

1 DATED this 30<sup>th</sup> day of March, 2012.  
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Robert S. Lasnik  
United States District Judge

We consent to the entry of the foregoing order:

HARRIS MOURE PLLC  
Attorneys for Plaintiff,  
Emmentaly Business Inc.

By:/s Charles Moure

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RELEASING ATTACHMENT AND ARREST